

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION - CINCINNATI

MELISSA GILVIN, <i>et al.</i> ,	:	Case No. 1:18-cv-107
	:	
Plaintiffs,	:	Judge Matthew W. McFarland
	:	
v.	:	
	:	
FCA USA, LLC., <i>et al.</i> ,	:	
	:	
Defendants.	:	

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**ENTRY AND ORDER ADOPTING REPORT AND RECOMMENDATION (Doc. 77)**

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This case is before the Court on Defendant FCA US, LLC's ("FCA") objection (Doc. 78) to Magistrate Judge Stephanie K. Bowman's report and recommendation (Doc. 77). The Magistrate Judge recommends that FCA's motion for summary judgment (Doc. 47), filed on July 31, 2019, should be denied. FCA filed objections (Doc. 78) and Defendant Impartial Services Group a/k/a Stericycle Expert Solutions ("ISG") filed a limited objection, which: (1) incorporates by reference each of the arguments in FCA's motion for summary judgment (Doc. 47) and FCA's objections (Doc. 78); and (2) clarifies, "in an abundance of caution," that arguments raised in ISG's separate motion for summary judgment (Doc. 71) were not addressed by the Magistrate Judge's Report and Recommendation. (Doc. 81.) Plaintiff filed a response (Doc. 82), making this matter now ripe for the Court's review.

As required by 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has made a de novo review of the record in this case. Upon said review, the Court finds that FCA's

objections are not well-taken. Accordingly, FCA's objections (Doc. 78), as well as the incorporated arguments in ISG's limited objection (Doc. 81), are hereby **OVERRULED**. The Court **ADOPTS** the report and recommendation (Doc. 77) in its entirety and, thus, FCA's motion for summary judgment (Doc. 47) is **DENIED**. To the extent that ISG's limited objection (Doc. 81) mentions its own motion for summary judgment, the Court notes that ISG's motion for summary judgment (Doc. 71) remains pending before the Court.

**IT IS SO ORDERED.**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO

By: /s/ Matthew W. McFarland  
JUDGE MATTHEW W. McFARLAND